

UNITED STATES

PETITION, DECLARATION AND SPECIFICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled \_\_\_\_\_

METHOD OF PROTECTING AGAINST CHRONIC INFECTIONS

the specification of which

(X) is attached hereto.  
( ) was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):			Priority Claimed	
<u>2,213,385</u> (number)	<u>CANADA</u> (country)	<u>August 20, 1997</u> (date filed)	(X) yes	( ) no
_____ (number)	_____ (country)	_____ (date filed)	( ) yes	( ) no
_____ (number)	_____ (country)	_____ (date filed)	( ) yes	( ) no

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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined by Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Appln. Serial No.)

**(Filing Date)**

(Status: patented, pending,  
abandoned)

And I hereby appoint the following as my attorneys or agents to prosecute this application and to transact all business in the Patent Office connected therewith:

**Douglas S. Johnson, Registration No. 15,945;**

S. Warren Hall, Registration No. 30,350;

**John C. Jeffrey, Registration No. 35,764; and**

Frank P. Farfan, Registration No. 35,773

**all of 133 Richmond Street West, Suite 301, Toronto, Ontario, Canada, M5H 2L7.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Eng-Hong LEE

**Inventor's signature**

Date: APRIL 17/98

Residence RR#4 Rockwood, Ontario, Canada N0B 2K0

**Citizenship** Canadian

Post Office Address Same as above

Full name of second joint inventor, if any

**Inventor's signature**

Date:

## Residence

## Citizenship

**Post Office Address**

Attorney's Docket No.: JJ-9676US

Applicant or Patentee: ENG-HONG LEE  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: METHOD OF PROTECTING AGAINST CHRONIC INFECTIONS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS [37 CFR 1.9(d) AND 1.27(c)] - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below  
☒ an official of the small business concern empowered to act on behalf of the  
concern identified below:

NAME OF CONCERN: VETECH LABORATORIES INC.  
ADDRESS OF CONCERN: 133 Malcolm Road, Guelph, Ontario CANADA N1K 1A8

I hereby declare that the above-identified Small Business Concern qualifies as a Small Business Concern as defined in 13 CFR 121.3-18 and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties control or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the Small Business Concern identified above with regard to the invention entitled

METHOD OF PROTECTING AGAINST CHRONIC INFECTIONS by  
inventor(s) ENG-HONG LEE described in:

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no.: \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified Small Business Concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a Small Business Concern under 37 CFR 1.9(d) or by any concern which would not qualify

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as a Small Business Concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

- ☐ ] INDIVIDUAL  
☐ ] SMALL BUSINESS CONCERN  
☐ ] NON-PROFIT ORGANIZATION


FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

- ☐ ] INDIVIDUAL  
☐ ] SMALL BUSINESS CONCERN  
☐ ] NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Eng-Hong Lee  
ADDRESS OF PERSON SIGNING: RR#4 Rockwood, Ontario, CANADA N0B 2K0  
\_\_\_\_\_

  
\_\_\_\_\_  
(Signature)

APR 17/98  
\_\_\_\_\_  
(Date)

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Attorney's Docket No.: JJ-9676US

Applicant or Patentee: ENG-HONG LEE

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

For: METHOD OF PROTECTING AGAINST CHRONIC INFECTIONS**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS [37 CFR 1.9(f) AND 1.27(c)] - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled \_\_\_\_\_

described in:

☒ [ X ] the specification filed herewith☐ [ ] application serial no. \_\_\_\_\_, filed \_\_\_\_\_☐ [ ] patent no.: \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

☐ [ ] no such person, concern or organization☒ [ X ] persons, concerns or organizations listed below\*

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: VETECH LABORATORIES INC.ADDRESS: 133 Malcolm Road, Guelph, Ontario CANADA N1K 1A8☐ [ ] INDIVIDUAL☒ [ X ] SMALL BUSINESS CONCERN☐ [ ] NON-PROFIT ORGANIZATION

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

- ☐ INDIVIDUAL  
☐ SMALL BUSINESS CONCERN  
☐ NON-PROFIT ORGANIZATION

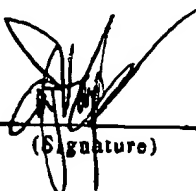
FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

- ☐ INDIVIDUAL  
☐ SMALL BUSINESS CONCERN  
☐ NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Eng-Hong Lee  
ADDRESS OF PERSON SIGNING: RR#4 Rockwood, Ontario, CANADA N0B 2K0  
\_\_\_\_\_

  
\_\_\_\_\_  
(Signature)

APR 17/98  
\_\_\_\_\_  
(Date)

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